

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In the Matter of:

CONSIDERATION OF THE)
REQUIREMENTS OF THE FEDERAL)
ENERGY POLICY ACT OF 2005)
REGARDING TIME BASED METERING) P.S.C. Case No. 2006-0045
DEMAND RESPONSE AND)
INTERCONNECTION SERVICE)

Petition for Confidential Treatment

Kentucky Power Company ("Kentucky Power") moves the Commission pursuant to 807 KAR 5:001, Section 7, for an Order granting confidential treatment to confidential customer-specific information contained in the Response to Staff Data Request No. 7.

Pursuant to 807 KAR 5:001 an original of the responses for which confidential treatment is sought is filed as part of Kentucky Power's original filing in response to this data request. In addition, ten redacted copies of the subject Response are filed with Petition.

The Requests and Background.

The subject information requests call for the provision of information about the demand and generating capacity of a specific Kentucky Power customer. Kentucky Power believes that such information is commercially sensitive and Kentucky Power does not make such information public.

Kentucky Power does not object to providing the information to the Commission, subject to an order according it confidential treatment.

Basis for Confidential Treatment

KRS 61.878(c)(1)(b) excludes from the Open Records Act:

"Records confidentially disclosed to an agency, generally recognized as confidential or proprietary, which if openly disclosed would present an unfair commercial advantage to competitors of the entity that disclosed the records, and which are compiled and maintained . . . in conjunction with the regulation of commercial enterprise . . ."

This exception applies to Kentucky Power's responses to Staff Information Request 7.

The Information Is Generally Recognized As Confidential and Proprietary.

The records to be filed with the Commission are "generally recognized as confidential or proprietary." Electric usage records are not made publicly available by Kentucky Power. Dissemination of the requested information is restricted by American Electric Power and Kentucky Power and the companies take all reasonable measures to prevent its disclosure to the public as well as persons within the companies who do not have a need for the information.

The Information Is Compiled And Maintained In Conjunction With The Commission's Regulation of Kentucky Power.

Finally, the records requested in Information Request 7 are compiled and maintained "in conjunction with the regulation of a commercial enterprise."

Similar information was accorded confidential treatment in P.S.C. Case No 2006-0006.

Wherefore, Kentucky Power Company respectfully requests the
Commission to enter an Order:

1. According confidential status to and withholding from public inspection Kentucky Power's responses to Staff Data Request 7; and
2. Granting Kentucky Power all further relief to which it may be entitled.

Respectfully submitted,

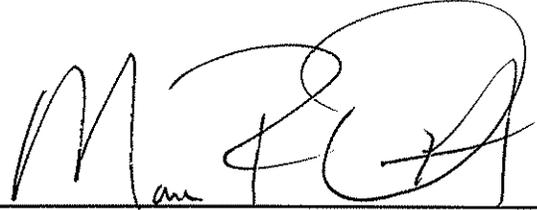


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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing (along with redacted copies of the information for which confidential treatment is sought) was served as indicated, upon the persons on the attached list on this 23rd day of March, 2006.

A handwritten signature in black ink, appearing to read 'Mark R. Overstreet', written over a horizontal line. The signature is stylized and cursive.

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Kentucky Power Company

REQUEST

Identify any customer with on-site generation that is currently connected to your distribution system. Provide the customer's maximum demand in 2005 and current generating capacity.

RESPONSE

The only customer-generator that is connected in parallel to the Company's distribution system is a kW solar generator at Paul Blazer High School in Ashland. The school's peak demand is kW.

WITNESS: David M Roush